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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,505	07/17/2003	Toshiaki Yoshihara	1100.68143	1976
7590	02/22/2006			EXAMINER DUONG, THOI V
Patrick G. Burns, Esq. GREER, BURNS & CRAIN, LTD. Suite 2500 300 South Wacker Dr. Chicago, IL 60606			ART UNIT 2871	PAPER NUMBER
DATE MAILED: 02/22/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/621,505	YOSHIHARA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thoi V. Duong	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 December 2005.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-7, 14 and 15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-7, 14 and 15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION*****Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 16, 2005 has been entered.

Accordingly, claims 1 and 14 were amended, and claims 8-13 were cancelled. Currently, claims 1-7, 14 and 15 are pending in this application.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-7, 14 and 15 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-275685 (JP'685) in view of Bradshaw et al. (Bradshaw, USPN 5,061,047).

Re claims 1 and 14, as shown in Fig. 1, JP'685 discloses a liquid crystal display device 70 (as well as a manufacturing method of the same) comprising two substrates 81a and 81b sandwiching a liquid crystal 85 having spontaneous polarization (paragraphs 106 and 129), and electrodes 82a and 82b for applying a voltage to said liquid crystal (paragraph 31),

wherein said liquid crystal shows a monostable state in which an average molecular axis of a director of liquid crystal molecules is aligned in a single direction and present in a first position when no voltage is applied, shows a state in which the average molecular axis is tilted in one direction from the first position at an angle corresponding to a magnitude of a voltage of a first polarity and present in a second position (first brightness) when the voltage of the first polarity is applied, and shows either a state in which the average molecular axis maintains the first position or a state in which the average molecular axis is tilted in a direction opposite to said one direction from the first position and present in a third position (second brightness) when a voltage of a second polarity opposite to the voltage of the first polarity is applied (see Abstract),

wherein, said liquid crystal is introduced between said two substrates (paragraph 102);

wherein a phase sequence of said liquid crystal is isotropic phase – cholesteric phase – chiral smectic C phase from a higher-temperature side (paragraph 94); and

wherein, an alignment treatment (application of an electric field to the liquid crystal during a cooling process) is performed to bring said liquid crystal

into the monostable state by cooling and by providing a period in which the temperature of said liquid crystal is kept within a temperature range showing the cholesteric phase during cooling, after heating said liquid crystal to a temperature of the isotropic phase thereof (paragraphs 11, 39, 102, 106 and 137).

However, JP'685 does not discloses a temperature range of the cholesteric phase of the phase sequence of said liquid crystal having a temperature width of not less than 3 degrees C and a cooling rate of 3 to 10 degrees/minute as recited in claims 1 and 14.

Bradshaw discloses a liquid crystal having a temperature range of a cholesteric phase of a phase sequence isotropic phase – cholesteric phase – chiral smectic C phase of a liquid crystal having a temperature width of not less than 3 degrees C (col. 16, lines 16-19), and a cooling rate of less than 20 degrees C/minute within +/- 5 degrees C of the cholesteric/smectic phase transition (col. 13, see example 10; and col. 14, lines 33-35). Accordingly, the cooling rate of less than 20 degrees C/minute includes the claimed range of 3 to 10 degrees C/minute.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display device of JP'685 with the teaching of Bradshaw by employing a liquid crystal having a temperature range of the cholesteric phase of the phase sequence of said liquid crystal having a temperature width of not less than 3 degrees C and a cooling rate of less than 20 degrees C/minute in order to provide a fast switching display with uniform alignment (see Abstract).

Re claim 2, Bradshaw discloses that the temperature range of the cholesteric phase of the phase sequence of said liquid crystal has a temperature width of not less than 5 degrees C (col. 16, lines 16-19).

Re claim 4, Bradshaw discloses that the temperature range of the cholesteric phase of the phase sequence of said liquid crystal has a temperature width of not less than 10 degrees C (+/- 5 degrees C) (col. 14, lines 33-35).

Re claims 3, 5 and 6, Bradshaw discloses that said liquid crystal is a ferroelectric liquid crystal (Abstract and col. 5, lines 25-28).

Re claim 15, JP'685 discloses that the alignment treatment is performed after heating said liquid crystal to an isotropic phase (paragraph 137).

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-275685 (JP'685) in view of Bradshaw et al. (Bradshaw, USPN 5,061,047) as applied to claims 1-6, 14 and 15 above and further in view of Yoshinaga et al. (Yoshinaga, USPN 6,791,527 B2).

As shown in Figs. 1 and 5, the liquid crystal display device of JP'685 comprises a data-writing scanning voltage (or voltage of first polarity) and a data-erasure scanning voltage (or voltage of second polarity opposite to the first polarity) applied to the electrodes 82a and 82b (Abstract).

Bradshaw also discloses that the device further includes means for applying two d.c. voltages of opposite polarity to the electrode structures (col. 3, lines 15-20).

However, the liquid crystal display device of JP'685 as modified in view of Bradshaw does not disclose a back-light driven by a field-sequential color scheme.

Yoshinaga discloses a liquid crystal display device comprising a back-light driven by a field-sequential color scheme for effecting color display (col. 5, lines 35-49).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the liquid crystal display device of JP'685 with the teaching of Yoshinaga by employing a back-light driven by a field-sequential color scheme in order to effect color display based on a timewise additive process and obtain a display free from a color filter (col. 5, lines 35-49).

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (571) 272-2292. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (571) 272-2293.

Thoi V. Duong



02/15/2006